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Attorneys for plaintiffs JAVIER TENORIO PLATA *et al.*

**UNITED STATES COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

JAVIER TENORIO PLATA, an individual;
ALFONSO VICTOR INCLAN COSTA, an
individual; GERMAN VASQUEZ FIGUEROA,
an individual; MICHELL ARIANNE CURTO
GONGORA, an individual; CARLOS
ACEVEDO MENDOZA, an individual; RUBEN
ARMAND ROBLES DIAZ, an individual;
GRACIELA HERRERA RODRIGUEZ, an
individual; MARIA DE LOS ANGELES
SANDOVAL, an individual; REINALDO
RODRIGUEZ VELASQUEZ, an individual;
BRAULIO ALBERTO DELGADO BRASIA, an
individual; FRANCISCA GASTELUM
ARAGON, an individual; MARIA DE LA
VILLANET SANCHEZ GUZMAN, an
individual; YADIRA CAMBREROS PINEDA,
an individual; DANIEL OROZCO VALDEZ,
an individual; REBECCA GUTIERREZ
JUAREZ, an individual; and MARTHA
HUIZAR N., an individual,

Plaintiffs,

vs.

DARBUN ENTERPRISES, INC., a California
corporation; OEM SOLUTIONS, LLC, a
California limited liability company; and
DOES 1 through 10 inclusive,

Defendants.

CASE NO.: 10-01339 IEG (CAB)

PLAINTIFFS' RESPONSE TO OSC *RE*
SERVICE OF SUMMONS

Date: December 13, 2010
Time: 10:30 a.m.
Court: 1

1 Plaintiffs, by and through their counsel, hereby respond to this Court's Order to Show Cause
2 re Service of Summons and Complaint as follows.

3 1. The Complaint in this action was filed on June 24, 2010.

4 2. Defendant Darbun Enterprises was personally served through its designated agent for
5 service of process on October 22, 2010, at 3:40 P.M., within the time specified by Fed.R.Civ.P.
6 4(m).

7 3. Defendant OEM Solutions, LLC is a suspended corporation, with no designated agent
8 for service of process and an incorrect address for its business on file with the Secretary of State.
9 OEM was therefore not served.

10 4. The service was performed by registered process servers with Advance Attorney
11 Service, Inc. and Plaintiffs' counsel had directed that the Proof of Service be filed with this Court
12 after receiving the Order to Show Cause.

13 5. On Friday, December 10, counsel discovered that it had not been filed and Advance
14 Attorney Service agreed to provide a courtesy copy to Chambers as well as file it with the Clerk ON
15 Friday, December 10.

16 Respectfully Submitted,

17 STILLMAN & ASSOCIATES

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19 Dated: November 29, 2010

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By: 

Philip H. Stillman, Esq.
Attorneys for Plaintiffs JAVIER TENORIO PLATA *et al.*